

AMENDED IN SENATE APRIL 21, 2005

SENATE BILL

No. 322

Introduced by Senator Migden

February 16, 2005

~~An act to amend Section 23952 of the Business and Professions Code, relating to alcoholic beverages. An act to add Section 23058 to the Business and Professions Code, relating to alcoholic beverages.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 322, as amended, Migden. Alcoholic beverages: ~~liquor license reporting.~~

The Alcoholic Beverage Control Act provides for the issuance and transfer of alcoholic beverage licenses by the Department of Beverage Control.

This bill would require the department to submit to the State Board of Equalization a quarterly report of licenses issued and transferred, as specified.

~~The Alcoholic Beverage Control Act provides for an application process to obtain a license to sell alcoholic beverages.~~

~~This bill would require the application to include a copy of a valid seller's permit issued to the applicant by the State Board of Equalization.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 23058 is added to the Business and
- 2 Professions Code, to read:

1 23058. *In order to facilitate the board's administration of the*
2 *Sales and Use Tax Law (Part 1 (commencing with Section 6001)*
3 *of Division 2 of the Revenue and Taxation Code), the department*
4 *shall, each quarter at no cost to the board, electronically*
5 *transmit to the board a report on the licenses issued or*
6 *transferred pursuant to this division. The report shall include the*
7 *names and addresses of all persons to whom the license is issued*
8 *or transferred, the type of license issued or transferred, and the*
9 *effective date of the license or transfer. With respect to transfers,*
10 *the report shall additionally include the names and addresses of*
11 *the transferors. The information shall be transmitted to the board*
12 *in a format agreed upon by both the board and the department.*

13 ~~SECTION 1. Section 23952 of the Business and Professions~~
14 ~~Code is amended to read:~~

15 ~~23952. The application shall also include the following:~~

16 ~~(a) A statement to the effect that the applicant has not been~~
17 ~~convicted of a felony and has not violated and will not violate or~~
18 ~~cause or permit to be violated any of the provisions of this~~
19 ~~division or any rule of the department applicable to the applicant~~
20 ~~or pertaining to the manufacture, sale, or distribution of alcoholic~~
21 ~~beverages, particularly any of the provisions of Sections 25500 to~~
22 ~~25504, inclusive, or Sections 25611 to 25615, inclusive. If the~~
23 ~~applicant cannot make this statement the application shall contain~~
24 ~~a statement of the violation, if any, or reasons which will prevent~~
25 ~~the applicant from being able to comply with the requirements~~
26 ~~with respect to the statement.~~

27 ~~(b) A copy of a valid seller's permit issued to the applicant by~~
28 ~~the State Board of Equalization.~~